

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
No. 15-1490V
(Not to be published)

* * * * *

MATT NICHOLS,

*

*

Petitioner,

*

*

Filed: October 3, 2016

v.

*

*

Decision on Attorneys'
Fees and Costs

SECRETARY OF HEALTH AND
HUMAN SERVICES

*

*

Respondent.

*

*

* * * * *

DECISION (ATTORNEYS' FEES AND COSTS)

HASTINGS, *Special Master*

In this case under the National Vaccine Injury Compensation Program,¹ I issued an Order Concluding Proceedings on August 9, 2016. On September 29, 2016, Petitioner filed an application for attorneys' fees and costs in this matter. Petitioner's counsel requested a total payment of \$9,835.00, representing attorneys' fees of \$8,135.00, attorneys' costs of \$1,300.00, and \$400.00 of costs expended by Petitioner. The application indicates that Petitioner's counsel has conferred with Respondent's counsel, and represents that Respondent has no objection to the amounts requested by Petitioner.

I find that this Petition was filed and pursued in good faith and with a reasonable basis. Thus, an award for fees and costs is appropriate at this time, pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1). Further, the proposed amounts seem reasonable and appropriate. Accordingly, I hereby award the following attorneys' fees and costs pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1):

¹ The applicable statutory provisions defining the program are found at 42 U.S.C. § 300aa-10 *et seq.* (2012).

- a lump sum of \$9,435.00, in the form of a check payable jointly to Petitioner and Petitioner's counsel, David P. Murphy, on account of services performed by counsel's law firm.
- a lump sum of \$400.00, in the form of a check payable to Petitioner, which represents Petitioner's own litigation expenses in this case.

In the absence of a timely-filed motion for review filed pursuant to Appendix B of the Rules of the U.S. Court of Federal Claims, the clerk of the court shall enter judgment in accordance herewith.²

IT IS SO ORDERED

/s/ George L. Hastings, Jr.
George L. Hastings, Jr.
Special Master

² Pursuant to Vaccine Rule 11(a), the parties may expedite entry of judgment by filing a joint notice renouncing the right to seek review.